



Attorney Docket: 00067.01R

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Joshua D. Rabinowitz, et al.) Examiner: M. Haghighatian
Serial No.: 10/718,982) Group Art Unit: 1616
Filing Date: November 20, 2003) Confirmation No.: 2735
For: DRUG CONDENSATION AEROSOLS)
AND KITS)

Mail Stop: Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

INFORMATION DISCLOSURE STATEMENT

Applicant calls the Examiner's attention to the patents and publications listed on the attached Form PTO-1449, copies of required documents enclosed, which may be material to examination of the above identified application.

TIME OF TRANSMITTAL

This Information Disclosure Statement is being submitted under 37 CFR § 1.97(c). This Statement is filed after three months from the filing date of the national application, after three months from the date of entry into national stage under 37 CFR § 1.491, after the mailing of a first Office Action on the merits, or after the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR § 1.114, but before the mailing date of any of:

- (a) a final action under 37 CFR § 1.113;
- (b) a notice of allowance under 37 CFR § 1.311; or
- (c) an action that otherwise closes prosecution in the application.

This Statement is accompanied by a check for \$180 in accordance with 37 CFR §§1.97(c) and 1.17(p). The undersigned hereby authorizes the charging of any deficiency of fees submitted herewith to Deposit Account No. 19-5117.

37 CFR 1.8

CERTIFICATE OF MAILING

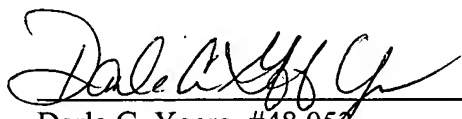
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on 10/19/05.

Signature: *Tasha L. Pierce*
Name: Tasha L. Pierce

The filing of this Information Disclosure Statement shall not be construed as an admission against interest in any manner. This listed patents and publications are believed of interest herein and consideration and citation of as interest by Examiner is respectfully requested.

Respectfully submitted,

Date: October 19, 2005



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**FORM PTO-1449 U.S. DEPARTMENT OF
COMMERCE PATENT
AND TRADEMARK
OFFICE**

List of Information Cited by Applicant

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00067.01R

SERIAL NO.

10/718,982

APPLICANT

Hale et al.

FILING DATE

November 20, 2003

GROUP

1616

U.S. PATENT DOCUMENTS

EXAM. INITIAL	DOCUMENT NUMBER	DATE	NAME	CLS	SUB- CLS	FILE DATE
AA	10/057,198	10/26/2001	Lloyd et al.			
AB	10/146,088	05/13/2002	Hale et al.			
AC	10/280,315	10/25/2002	Shen			
AD	10/302,614	11/21/2002	Lu			
AE	10/322,227	12/17/2002	Novack et al.			
AF	10/442,385	05/20/2003	Cross et al.			
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AL	10/851,883	05/20/2004	Hale et al.			
AM	10/861,554	06/03/2004	Cross et al.			
AN	10/912,417	08/04/2004	Bennett et al.			
AO	10/917,720	08/12/2004	Hale et al.			
AP	10/917,735	08/12/2004	Hale et al.			

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EXAM. INITIAL	DOCUMENT NUMBER	DATE	COUNTRY	CLS	SUB CLS	TRANS ?
AQ	WO 00/28979	05/25/2000	WIPO			
AR	WO 01/80829	11/01/2001	WIPO			
AS	WO 03/37412	05/08/2003	WIPO			

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

AT	Office Action mailed 02/27/04 for US App. No. 10/146,080 filed 05/13/02, "Aerosol Forming Device For Use In Inhalation Therapy"
AU	Office Action mailed 06/03/04 for US App. No. 10/057,197 filed 10/26/01, "Aerosol Generating Device And Method"
AV	Office Action mailed 01/12/05 for US App. No. 10/057,197 filed 10/26/01, "Aerosol Generating Device And Method"
AW	Hong et al. (2002) Respiratory Drug Delivery VIII:779-781.
AX	
AY	
AZ	
AAA	
ABB	

EXAMINER

DATE CONSIDERED

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE List of Information Cited by Applicant Page 2 of 2	ATTY. DOCKET NO. 00067.01R	SERIAL NO. 10/718,982
	APPLICANT Hale et al.	
	FILING DATE November 20, 2003	GROUP 1616

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	BB	4,484,576	11/27/1984	Albarda			
	BC	4,911,157	03/27/1990	Miller			
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	BS						

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EXAM. INITIAL		DOCUMENT NUMBER	DATE	COUNTRY	CLS	SUB CLS	TRANS ?
	ACC						
	ADD						
	AEE						
	AFF						
	AGG						

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)		
	AHH	
	AII	
	AJJ	
	AKK	
	ALL	
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